

(c) In the regulations in this part and in all instructions, terms, and documents in connection therewith, all other words and phrases specifically relating to FSA operations shall, unless the context of the subject matter otherwise requires, have the meanings assigned to them in the regulations governing reconstitution of farms, allotments, and bases in 7 CFR part 719.

§ 1479.4 Funding.

No more than \$50 million of CCC funds may be expended for the program. FAP assistance for which persons are otherwise eligible under this part may be adjusted, prorated, or reduced as the Executive Vice President deems appropriate to facilitate the equitable proration of funds for this purpose.

§ 1479.5 Eligible established pasture.

FAP cost-share assistance shall be available only for reseeding eligible established pasture. Such pasture shall be only established pasture which has been damaged in 1988 due to the 1988 drought or related 1988 conditions.

§ 1479.6 Eligible costs.

(a) FAP payments shall only be made with respect to 50 percent of costs incurred by an eligible person only for the cost of replanting a forage crop on the eligible established pasture. Such costs shall include only the cost of the seeds, planting, seedbed preparation, and nutrients needed to ensure successful plant survival, and labor, as based on standard labor rates as determined by the county committee, used to physically plant such seeds. Eligible costs specifically exclude items such as fencing, pesticides, irrigation, irrigation equipment, measures to protect seedlings from wildlife, and general land and pasture improvements.

(b) Eligible costs shall not include costs incurred for replanting a forage crop differing significantly from the forage crop constituting the qualifying loss, except as determined by CCC. If such substitution is approved, eligible costs shall, unless approved in written instructions issued by DASCO, be the lessor of:

(1) The actual costs incurred for the substituted forage crop; or

(2) The estimated costs which would have been incurred for the original forage crop.

(c) Eligible costs shall only include reasonable costs which have been incurred for which the eligible person has presented adequate documentation and, except as otherwise authorized by DASCO, shall not include costs for a practice or activity which has not been completed.

(d) The amount of payments which shall be made by CCC, subject to the availability of funds, shall not exceed 50 percent of the eligible costs as determined by CCC.

(e)(1) Notwithstanding the provisions of paragraph (b) of this section, an application for payment shall not be approved by the county committee without the written approval of the State committee if such payment would exceed \$100.00 per acre for the reseeded acres constituting the qualifying loss.

(2) The State committee may not, without the written approval of DASCO approve an application for payment if such payment would exceed \$150.00 per acre.

(f) FAP assistance may only be provided to eligible persons when:

(1) The forage crop will not regenerate naturally;

(2) Reseeding in the most cost-effective method to reestablish such crop; and

(3) Reseeding is not undertaken simply to improve the forage crop damaged by the drought.

(g) FAP cost-share assistance shall be available only if the request by an eligible person for assistance under this part is filed by May 15, 1989.

(h) All activities for which FAP assistance is requested shall be completed by the date specified in the FAP agreement.

[53 FR 41309, Oct. 21, 1988, and amended at 54 FR 965, Jan. 11, 1989]

§ 1479.7 Eligible person.

(a) A person shall be eligible for FAP assistance only if the person is an owner or operator of eligible established pasture.

(b) A person is an eligible person for FAP assistance only to the extent of eligible costs incurred by such person. A person shall be considered an eligible